

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

THOMAS NEWSOME,

Plaintiff,

v.

No. CIV 12-0733 MCA/GBW

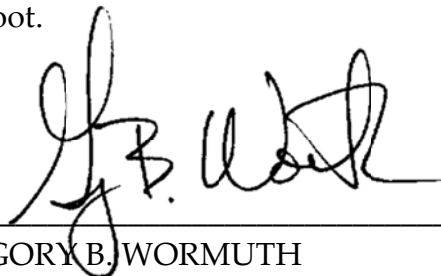
THE GEO GROUP, INC.,  
TIMOTHY B. HATCH,

Defendants.

ORDER

This matter is before the Court on Plaintiff's Motion for Service of Process (*Doc.* 7) filed on February 20, 2013. In the motion, Plaintiff asks the Court to effect service of process on the remaining Defendants. Two days later, on February 22, 2013, Defendants filed their motion to dismiss in lieu of an answer. *See* Fed. R. Civ. P. 12(a)(1). By filing their motion to dismiss, Defendants have waived the defense of lack of personal jurisdiction, *see* Fed. R. Civ. P. 12(h)(1), and Plaintiff's motion for service is thus moot. The Court will deny Plaintiff's motion.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Service of Process (*Doc.* 7) filed on February 20, 2013, is DENIED as moot.

A handwritten signature in black ink, appearing to read 'G.B. Wormuth', is written over a horizontal line.

GREGORY B. WORMUTH  
UNITED STATES MAGISTRATE JUDGE